

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 05-4008-01-CR-W-SOW
)	
MICHAEL E. DICKSON)	
)	
Defendant.)	

PRELIMINARY ORDER OF FORFEITURE

This matter is before the Court on the Motion of the United States for a Preliminary Order of Forfeiture (Doc. #15). In Count Three of the Indictment in this case, the United States sought forfeiture of the following:

One Dell Dimension 4600 Computer Processing Tower Unit, Serial number GFD87K2BKBFHH9XGKBGYRDBJQ, and one Dell printer/copier, model A940, serial number CNO7Y643487303993378.

pursuant to 18 U.S.C. § 492 on the basis that the property constitutes material or apparatus used or fitted, or intended to be used, in the making of counterfeit obligations of the United States.

On July 8, 2005, the defendant Michael Dickson plead guilty Counts One and Two of the Indictment, charging violations of 18 U.S.C. §§ 471 and 472, and to forfeit to the United States his interest in the property identified in Count Three.

The Court has determined, based upon the evidence presented at the plea hearing, that the United States has established the requisite nexus between the property described herein and in Count Three of the Indictment and the offenses to which the defendant has plead guilty.

By virtue of defendant Michael E. Dickson's plea, the United States is now entitled to a Preliminary Order of Forfeiture and to possession of the property pursuant to 18 U.S.C. § 492

and 28 U.S.C. § 2461(c).

Accordingly, it is hereby

ORDERED that the Motion of the United States for a Preliminary Order of Forfeiture (Doc. #15) is granted. It is further

ORDERED:

1. Based upon defendant Michael E. Dickson's plea and the criminal forfeiture count of the Indictment, the above-described property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853, which is incorporated by 28 U.S.C. § 2461(c).

2. Upon entry of this Order, the Secretary of the Department of Homeland Security or his designee is authorized to seize the above-described property in accordance with Fed. R. Crim. P. 32.2(b)(3).

3. Pursuant to 21 U.S.C. § 853(n), the Department of Homeland Security shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the United States' intent to dispose of the property in such manner as the Department of Homeland Security may direct, and notice that any person, other than the defendant Michael E. Dickson, having or claiming a legal interest in the above-described property must file a petition with the Court (and serve a copy on Lawrence E. Miller, Assistant United States Attorney), within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of

perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing (or before if the defendant consents) and shall be made part of the sentence and included in the judgment.

5. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

____/s/ Scott O. Wright____
SCOTT O. WRIGHT
Senior United States District Judge

Date: 10/27/2005